

Garamendi, Perata, Steinberg, Kehoe Call on Bush Administration to Recognize California's Coastal Protection Rights

California leaders demand that feds let "no" vote on San Onofre Toll Road stand

SACRAMENTO, CA – Lt. Governor and State Lands Commission member John Garamendi, Senate President pro Tem Don Perata, Senate Resources Committee Chairman Darrell Steinberg and Senator Christine Kehoe today called on the Bush Administration to recognize California's right to protect the state's precious coastline, saying in a letter to U.S. Commerce Secretary Carlos Gutierrez that the federal government must let stand the California Coastal Commission's rejection of a proposed toll road through the heart of the park at San Onofre State Beach.

In the letter, the four state leaders said that the Administration's reversal of the Coastal Commission's decision would amount to an unprecedented attack on California's right to protect its coastline. More importantly, they added, a federal overturn of California's lawful decision would set a dangerous precedent that would undermine the state's ability to protect its natural resources for future generations.

"After careful deliberation and an open and transparent public review process, the Coastal Commission did precisely the job it was established to do: to fully and properly carry out the intent of both the California Coastal Act and the Federal Coastal Zone Management Act. A reversal of this decision by the Bush Administration should be seen as no less than an attack on California's environmental values," said Lt. Governor John Garamendi

"The California Coastal Commission rejected the proposal to put a toll road through the state park at San Onofre State Beach," said Senate President pro Tem Don Perata (D-Oakland). "The federal government should respect that decision, made with the input of thousands of Californians who have an inherent interest in preserving their coast."

"The California Coastal Commission engaged in a deliberative process and ultimately voted against a toll road in California State Park at San Onofre State Beach," Senator Steinberg

(D-Sacramento) said. "The Bush Administration should respect the Commission's vote and leave decisions about California's beaches and state parks to Californians."

"The California Coastal Commission acted properly when they rejected the proposed toll road because they understood that it would violate our Coastal Act, and fails to conform to our coastal management plan," stated Senator Kehoe (D-San Diego). "The Bush Administration, which professes to support state rights, should reject the appeal and sustain California's legal right and responsibility to protect our coastal resources."

On February 6, 2008, after a 14-hour public hearing attended by more than 3,500 people, the California Coastal Commission voted 8-2 to reject the proposed Foothill-South Toll Road. The project would site a multi-lane highway through the heart of the California State Park at San Onofre State Beach.

The Commission's rejection of the proposed toll highway followed a lengthy review and a series of findings which outlined serious concerns over environmental destruction from the project, as well as potential damage to Native American cultural resources and diminished recreation opportunities for California families.

The Federal Coastal Zone Management Act requires development projects that require federal approval to first obtain a "consistency certification" from the State Coastal Commission. The California Coastal Commission refused to issue such a certification, finding instead that the project was inconsistent with the state's imperative to protect its coastline. The project proponents appealed the State's determination to the Secretary of Commerce in February following the Coastal Commission's rejection of their case.

The California elected leaders urged the Commerce Secretary to reject the appeal outright. Should the appeal be considered, they said, the Administration must allow the people of Southern California to have their voices heard in the process with an open and accessible public hearing on the matter. The state leaders are also requesting that proponents be prohibited from meeting or negotiating with federal agencies while the appeal is pending.

A copy of the letter can be downloaded at <http://www.ltg.ca.gov/images/press/040708%20tca%20toll%20road.pdf>

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